



Attorney's Docket No. CAR-001PAT

*JFW*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** Roger Miner King  
**Serial No.:** 10/582,437 **Group No.:** 3781  
**Filed:** September 5, 2006 **Examiner:** Volz, Elizabeth J.  
**For:** BOTTLE AND CLOSURE ASSEMBLY WITH IMPROVED LOCKING ELEMENTS

**Commissioner for Patents**  
**P.O. Box: 1450**  
**Alexandria, VA 22313-1450**

**AMENDMENT TRANSMITTAL**

**1. Transmitted herewith is an amendment for this application.**

**2. Applicant is**

**X** **a small entity.**

**other than a small entity.**

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

**X** I deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Mail Stop: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on September 30, 2009.

**FACSIMILE**

Transmitted by facsimile to the Patent and Trademark Office addressed to the Commissioner of Patents, Mail Stop: Amendment, Alexandria, VA 22313-1450 to the telephone facsimile no. 571-272-8300 on

  
Signature  
Mark F. Smith

Date: September 30, 2009

## EXTENSION OF TERM

NOTE- "Extension Of Time in Patent Cases (Supplement Amendments) - if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action; an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely filed response placed the application in condition for allowance. Of course if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-5).*

NOTE- See 37 CFR 1.645 for extensions of time in interference proceedings, and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

*(complete (a) or (b), as applicable)*

(a)  Applicant petitions for an extension of time under 37 CFR 1.136  
(fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

| Extension<br>(months)                 | Fee for other than<br><u>small entity</u> | Fee for<br><u>small entity</u> |
|---------------------------------------|---|--------------------------------|
| <input type="checkbox"/> one month    | \$ 130.00                                 | \$ 65.00                       |
| <input type="checkbox"/> two months   | \$ 490.00                                 | \$245.00                       |
| <input type="checkbox"/> three months | \$1,110.00                                | \$555.00                       |
| <input type="checkbox"/> four months  | \$1,730.00                                | \$865.00                       |

Fee \$ 0.00

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of  
\$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 0.00

OR

(b)  Applicant believes that no extension of term is required. However this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## **FEE FOR CLAIMS**

**4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:**

| (Col. 1)  | (Col. 2)                                      | (Col. 3)     | SMALL ENTITY                   | OTHER THAN A<br>SMALL ENTITY |
|---|---|--------------|--------------------------------|------------------------------|
| <b>CLAIMS<br/>REMAINING<br/>AFTER<br/>AMENDMENT</b> | <b>HIGHEST NO<br/>PREVIOUSLY<br/>PAID FOR</b> | <b>EXTRA</b> | <b>PRESENT<br/>FEE OR RATE</b> | <b>ADDIT.<br/>FEE</b>        |
| <b>TOTAL *</b>                                      | <b>MINUS **</b>                               | <b>=</b>     | <b>X 52 = \$</b>               | <b>X 26 = \$0.00</b>         |
| <b>INDEP *</b>                                      | <b>MINUS *** 3</b>                            | <b>=</b>     | <b>X 220 = \$</b>              | <b>X 110 = \$0.00</b>        |

**FIRST PRESENTATION OF MULTIPLE DEP. CLAIM** **X 390 = \$** **X 195 = \$**

**TOTAL ADDITIONAL FEE: \$0.00**

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, enter "3"  
The "Highest No. Previously Paid for" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number or claims originally filed.

**WARNING** "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 CFR 1.116(a) (emphasis added).

**(complete (c) or (d), as applicable)**

(c)  No additional fee for claims is required

OR

(d)  Total additional fee for claims required \$0.00

## FEE PAYMENT

5. Attached is a check in the sum of \$ 0.00

Charge Account No. the sum of \$

A duplicate of this transmittal is attached

## FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposite account for any fee deficiency should be checked. See the Notice of April 7 1~86, (1065 O.G. 31-33).

6.        If any additional extension and/or fee is required, charge Account No.

AND/OR

       If any additional fee for claims is required, charge Account No.

## OTHER DOCUMENTS ATTACHED

7.        No other documents are attached.

X The following documents are attached hereto:

Amendment and Response

Reg. No.: 32,437

Tel. No.: 513-379-5846



SIGNATURE OF ATTORNEY

Mark F. Smith

*Smith Brandenburg Ltd*

905 Ohio Pike

Cincinnati, Ohio 45245